

**Village of Cold Spring
Code Update Committee
January 6, 2016**

The Code Update Committee of the Village of Cold Spring held a meeting on Wednesday, January 6, 2016 at 7:09 PM at the Village Hall, 85 Main Street, Cold Spring NY

Attending were Board members: Carolyn Bachan, Norah Hart, Paul Henderson, Donald Mac Donald and Ethan Timm; and Trustee Marie Early. Ms. Bachan had to leave before the end of the meeting and Ms. Hart arrived after the meeting had begun.

Trustee Early opened the meeting at 7:09 P.M. She said all members of the CUC will be invited to the Village Appreciation event on Jan. 22 and that the invitations will be going out next week. She stated that the monthly conference call with NYSERDA had been conducted on Dec. 18 with Ted Fink, Paul Henderson and Jessica Waldorf participating and the normal agenda was followed (status, issues, goals for next month). The second progress report had been submitted to NYSERDA on Jan. 1 and the updated PBMR had been submitted on Dec.27. No feedback has been received yet. A conversation was held with Jaime Ethier, DOS and coordinator for the LWRP, explaining the CUC activities that are now going on to address zoning. There is a possibility that the remaining funds from the DOS grant (\$2.7K) may be made available; a status update report must be sent to Jaime for him to determine if an extension to December, 2017 will be granted.

2. Minutes:

The minutes of December 16, 2015 were reviewed. Ms. Bachan moved to approve the minutes and Mr. MacDonald seconded the motion. The minutes were approved unanimously, 4-0 (Ms. Hart was not yet in attendance).

3. HDRB opinion on glazing standards.

Ms. Bachan said that the HDRB has been giving its attention to other topics (such as grants and work with a consultant); it is not clear when the HDRB will be able to address the topic. Regardless, this topic is considered complete relative to Section 134 (Zoning); at some point in the future, the HDRB Design Standards can be updated to address this.

4. Detached Garage Drawings.

Mr. Timm provided drawings which illustrate the height for different height garages relative to setbacks. He pointed out that eave height is not a good parameter for structure height since an A-frame structure can have a low eave height but a significant overall height. It was agreed that eave height and shadowing effects should not be considerations in the code. "Clustering" was still a consideration. State Code requires a minimum of a 3 foot setback. Whatever the calculations are, it must be enforceable and easy to understand.

(During the meeting, it was stated that the minimum distance from the principal building and an accessory building is 20 feet. Subsequent to the meeting, a search of Section 134 was performed. Section 134-17 says "**§ 134-17. Supplementary regulations applying to all residence districts.**

A. Accessory buildings and garages.

(1) An accessory building or a garage may be located in any required side or rear yard, provided:

(a) Such building or garage shall not exceed one and one-half (1½) stories.

(b) Such building or garage shall be set back ten (10) feet from any lot line, and if separated from the principal building, shall not be located less than, ten (10) feet from it.” The 20 foot requirement applies to R-3 districts.).

It was agreed that the maximum height of the detached garage would be 20 feet to the ridge line. Mr. Timm will create a cut section of a 20 foot ridge line height detached garage with a 3.5 foot setback with a neighboring building of the same height; in addition, there would be a multiplier. Mr. Henderson will survey the village for detached garages and their dimensions and report back.

5. Accessory Building Standards.

The smallest manufactured shed that was found was 2 feet 6 inches by 2 feet 1 inch. None of the sheds manufactured by this company require footings. The Town of Huntington (subsequent to the meeting, research identified the minimum lot size to be one half acre and 100 feet wide) permits one 100 square foot shed setback 2 feet from the property line without a building permit. A second shed or any shed larger than 100 square feet requires a building permit. Any shed larger than 120 square feet requires footings. Any shed larger than 144 square must be set back 5 feet from the property line. The City of Yonkers (subsequent to the meeting, research identified the Yonkers code to be a minimum lot size of 50 feet wide although there are neighborhoods with 25 foot wide lots) permits only one shed or greenhouse or children’s playhouse. These structures are not allowed in the front yard, only in the side or rear yards and must be set back a minimum of 5 feet from the rear or side property lines. The allowable maximum size is 11 feet by 12 feet. None of these structures can exceed a height of 8 feet. The structure cannot be used for the conduct of any business nor for storage for any commercial enterprise or business.

It was agreed that there be a maximum combined measurement of 16 feet or larger (length plus width plus height), for example, a structure that is larger than 5 feet in width, 5 feet in length and 6 feet in height would be considered an accessory structure, would require a building permit and must conform to all setback and lot coverage standards, regardless of whether or not the structure is on a foundation. It was agreed that a limit of two accessory buildings be permitted on any lot. A playhouse would be considered an accessory building regardless of foundation. A swing set or gymnasium would not be considered an accessory building unless it was covered.

A question was raised as to whether a building permit identifies temporary structures for use during the construction project. This will be investigated.

6. Waterfront recreation continued:

The continuation of this topic was deferred to the next meeting

7. Permitted Uses

A spreadsheet was distributed with contained, for each district, the current permitted uses. CUC members were asked to review the spreadsheet and be prepared to identify which uses should be removed, modified or added.

8. Process for March, 2016 Public Meeting

Discussion focused on the presentation(s) that could be made at the beginning of the meeting and the level of detail (or not) in that presentation, what materials can be made available on the Village website prior to the meeting, what handouts could be distributed at the meeting, the need for graphics, individual concurrent discussions on each of the 10 topics and how to capture feedback from the attendees. More discussion is needed.

9. Public Comment

There were no public comments

10. Old Business

There was a discussion on the topic of Parking. Ms. Hart will structure the topic for the next meeting.

11. New Business

There was no new business.

The next meeting will be Jan. 20, 2016.

Mr. Timm moved to adjourn the meeting and Mr. Henderson seconded the motion. The meeting adjourned at 9:18 P.M.

Respectfully submitted by
Marie Early